



**Agenda Item Number: 2005-2-5A**

## **BERNALILLO COUNTY BOARD OF COUNTY COMMISSIONERS**

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**Meeting Date:** February 8, 2005

**Department:** Zoning, Building, Planning & Environmental Health    **Staff Contact:** Sanford Fish, Director  
Julie M. Baca, Deputy County Manager for  
Community Services Division

**TITLE:** Text Amendment to the Bernalillo County Code, Appendix A, Zoning Ordinance #213, regarding certain R-2 uses as conditional uses in the C-1 and C-2 zones and rail passenger terminals as a permissive use in the C-2, M-1 and M-2 zones.

**ACTION:** Convene a Public Hearing.  
Motion to adopt **Ordinance 2005-** amending Bernalillo County Code, Appendix A, Ordinance #213.

### **SUMMARY:**

On January 11, 2005, the Board approved introduction and publication of two amendments to the Zoning Code. Both changes were reviewed and recommended for approval by the County Planning Commission. No public comments have been received.

The first change makes apartments and other multiple dwellings Conditional Uses in the C-1 and C-2 zones. They are currently allowed as Permissive Uses in those zones. As such, there are no special requirements, other than obtaining approval for a Building Permit, prior to construction.

The current approach has raised several issues with concerned neighborhood groups. The density of allowable development is one concern, along with potential impacts on the road network and utility system. Making multiple dwellings Conditional rather than Permissive uses in the C-1 and C-2 zones would allow for a more detailed review of any proposed development through the Zoning Administration process, including a public hearing with notification to adjacent property owners.

The second change revises the Zoning Code to make rail passenger terminals permissive uses in the C-2, M-1 and M-2 zones. There is currently no reference to rail passenger terminals in the zoning ordinance. With the recent discussions regarding initiating rail passenger service through the metropolitan area it was determined that the ordinance should be updated to add this as an allowable use.

Currently, bus passenger terminals are allowed beginning in the C-2 zone and continuing through the M-1 and M-2 zones. The revised language would allow bus and rail passenger terminals in these zones. Since much of the available land along the rail tracks is currently zoned M-1 or M-2, this would provide a wide range of potential sites for rail passenger facilities.

**ATTACHMENT:**

**1. Ordinance 2005-\_\_\_\_\_.**

**FISCAL IMPACT**

None

**STAFF ANALYSIS SUMMARY**

**COUNTY MANAGER**

These Zoning amendments will help clarify where R-2 uses are allowed and provide adequate public input where appropriate. I recommend Board approval. TL 2/2/05

**DEPUTY COUNTY MANAGER FOR COMMUNITY SERVICES**

The proposed text amendment to the BC Code for certain R-2 uses would alleviate concerns neighborhood groups have regarding the current approach for construction of apartments and other multiple single-family dwellings. It would allow for a more detailed review of any proposed development through the Zoning administration process including notification to adjacent property owners.

The proposed text amendment to the BC Code for C-2 uses would allow rail and bus passenger terminals permissive uses in C-2, M-1 and M-2 uses, currently there is no reference to rail bus passenger terminals in the zoning ordinance. Recommend approval to convene a Public Hearing and to adopt a County ordinance amending Bernalillo County Code, Appendix A, Ordinance #213. Julie M. Baca, 01/25/05

**DEPUTY COUNTY MANAGER FOR PUBLIC SAFETY**

The proposed revisions will allow for more detailed review of multi-family projects. Recommend approval. Jdantis 1/13/05

**LEGAL**

The proposed amendment adding rail terminal to the list of uses in the C-2, M-1 and M-2 zones is approved as to form. PFT 1-14-05

**FINANCE**

**Budget**     There is no fiscal impact with the approval of this action. Priscilla L. Gutierrez, Budget Analyst Sr., 11/24/04